

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ERIN CHRISTON, an individual,

Plaintiff,

v.

OCEAN BEACH SCHOOL DISTRICT,

Defendant.

CASE NO. 19-cv-6214-RJB-JRC

ORDER GRANTING PLAINTIFF'S
MOTION TO AMEND
COMPLAINT

THIS MATTER comes before the Court on Plaintiff's Motion for Leave to Amend the Complaint for Damages. Dkt. 17. The Court has considered the pleadings filed regarding the motion and the remaining file. For the reasons set forth below, the motion should be granted.

The motion provides that "Plaintiff Erin Christon respectfully seeks leave to file her Second Amended Complaint for Damages to include a claim for post-termination retaliation under Title VII of the Civil Rights Act of 1964, as amended, and the Washington Law Against Discrimination." Dkt. 17, at 1. Plaintiff filed a copy of the proposed Second Amended Complaint. Dkt. 18.

1 Defendant filed a response brief. Dkt. 19. The response provides that “Defendant Ocean
2 Beach School District (the ‘District’) does not oppose Plaintiff’s Motion for Leave to Amend the
3 Complaint for damages. Had Plaintiff asked for the District’s consent under Rule 15(a)(2), we
4 would have stipulated.” Dkt. 19, at 1.

5 Fed. R. Civ. P. 15(a)(2) provides that “a party may amend its pleading only with the
6 opposing party's written consent or the court's leave. The court should freely give leave when
7 justice so requires.” Courts may consider a number of factors, including undue delay, bad faith or
8 dilatory motive, repeated failure to cure deficiencies by amendments previously allowed, undue
9 prejudice to opposing parties, harm to the movant if leave is not granted, and futility of the
10 amendment. *Foman v. Davis*, 37 U.S. 178, 182 (1962); *Martinez v. Newport Beach City*, 125
11 F.3d 777, 785 (9th Cir. 1997).

12 The motion to amend is unopposed and the Court should freely give leave to amend when
13 justice so requires, as is the case here. **THEREFORE**, the Court **GRANTS** Plaintiff’s Motion
14 for Leave to Amend the Complaint for Damages. Dkt. 17. Plaintiff shall file a Second Amended
15 Complaint no later than **May 13, 2020**.

16 **IT IS SO ORDERED.**

17 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
18 to any party appearing *pro se* at said party’s last known address.

19 Dated this 6th day of May, 2020.

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21 ROBERT J. BRYAN
22 United States District Judge
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